

**Return date: October 19, 2021**

**DOCKET NO. NNI-CV21-6024086-S**

JEREMY MEURICE,  
*Plaintiff and Counterclaim Defendant,*  
v.

ELIZA HESSELGRAVE, ET AL.,  
*Defendants.*

NADIA VIVAR,  
*Defendant, Counterclaim Plaintiff, & Third-Party*  
*Plaintiff*  
v.

BLANQUITA VIGIL,  
CITY OF WEST HAVEN  
*Third-Party Defendants*

: SUPERIOR COURT

: JUDICIAL DISTRICT OF NEW HAVEN

: AT MERIDEN

: SEPTEMBER 14, 2021

### **THIRD-PARTY COMPLAINT**

Defendant and Counterclaimant and Third-Party Plaintiff Nadia Vivar hereby alleges as follows against Third-Party Defendants Blanquita Rica Vigil and City of West Haven:

#### **COUNT ONE: NEGLIGENCE AGAINST BLANQUITA VIGIL**

1. On July 5, 2020 Nadia Vivar was protesting the murder of Moubarak Soulemane in West Haven, Connecticut by Connecticut State Police.

2. While Nadia was among the many people protesting that day, Third-Party Defendant Blanquita Rica Vigil drove her car through a crowd of protesters including Nadia.

3. After several protesters were injured from this event, which West Haven Police negligently or recklessly failed to prevent, several protesters approached and confronted the individual who had driven her car through the crowd.

4. Shortly thereafter, police arrived at the scene.

5. Instead of arresting the perpetrator of the violent incident that had occurred moments earlier, the police – biased against the protesters because they were protesting police misconduct and brutality – decided to start a riot.

6. The police, including plaintiff Jeremy Meurice, menacingly yelled, screamed, pointed their weapons, and surrounded peaceful protesters who were doing nothing wrong.

7. Meurice, in particular, was aggravated, angry, loud, reactive, and out of control with his movements, wildly swinging at protesters, telling them to move, shoving them, and even kicking them.

8. Meurice aggressively approached Silas Lourenco-Lang and shoved him, telling to move back.

9. Then, grabbing something on his waist, Meurice lunged at Lourenco-Lang.

10. Reasonably fearing for his life and safety, Lourenco-Lang attempted to remove himself from the path of Meurice's assault.

11. Unable to avoid Meurice, Lourenco-Lang was pushed to the ground, where Meurice began violently assaulting Lourenco-Lang.

12. Eliza Hesselgrave and Nadia Vivar collided with Jeremy Meurice while he was violently assaulting Lourenco-Lang. The collision was unintentional but occurred because of the wanton, reckless, excessive behavior of Meurice.

13. Meurice proceeded to elbow Hesselgrave in the face, knocking her down.

14. Meurice also knocked over Nadia Vivar, causing her injury to her knees.

15. As a result of Meurice's intentional, reckless, and/or negligent behavior, Vivar suffered damages.

16. Following the July 5, 2020 incident, Vigil was not arrested. Upon information and belief, she was not arrested until August 12, 2020 because of personal connections to West Haven police officers.

17. On August 12, 2020, after considerable public pressure forced police to do so, Vigil was arrested for reckless driving for her conduct on the day of July 5.

18. Vigil's conduct in recklessly driving her car through a crowd of people, people who she knew were protesting police brutality, was wanton intentional conduct that proximately caused the remainder of the events of that day.

19. To the extent that the Plaintiff Meurice or any other party suffered damages as a result of the police riot or other events on July 5, the proximate cause of all parties' injuries was Vigil's conduct in driving her car through a crowd of protesters.

20. Vigil had full control over her car and over the situation and chose not to control herself in inflicting serious injuries on others and instigating a response.

21. Vigil is therefore liable for Vivar's damages, including any damages that are found to be her responsibility in this action, if any.

**COUNT TWO: RECKLESSNESS AGAINST BLANQUITA VIGIL**

1-21. Vivar incorporates the allegations in paragraphs 1-25 of Count One as if fully restated here.

22. Vigil's conduct was reckless in that her conduct was wanton misconduct, indicated a reckless disregard of the just rights and safety of others, and was more than mere thoughtlessness, inadvertence, or simple inattention.

23. Vigil's reckless conduct caused Vivar's damages as well as the damages of other parties.

24. Vigil is therefore liable in damages to Vivar in common law recklessness for compensatory and common law punitive damages.

**COUNT THREE: NEGLIGENCE (52-577n) AGAINST CITY OF WEST HAVEN**

1-17. Vivar incorporates the allegations of paragraphs 1-17 of Count One as if fully restated here.

18. West Haven Police Department Policy and Procedures obligate officers to de-escalate tense situations instead of escalating them with violent behavior.

19. Meurice breached his duty of care on July 5, 2020, when he instigated a police riot, shoving and assaulting individuals and escalating the situation, then negligently knocking over Vivar, causing her injury.

20. Because Meurice violated his ministerial duty not to escalate the events of July 5, 2020 and caused Vivar damages, and because Vivar was an identifiable victim of imminent harm as a result of Meurice's actions, the City of West Haven is liable for Meurice's actions under Connecticut General Statutes 52-577n.

**COUNT FOUR: MONNELL CLAIM AGAINST CITY OF WEST HAVEN**

1-17. Vivar incorporates the allegations of paragraphs 1-17 of Count One as if fully restated here.

18. West Haven Police Department fails to have any policy – let alone an adequate policy – for officers to de-escalate tense situations instead of escalating them with violent behavior.

19. As a result, the officers involved in this case, including but not limited to Plaintiff Meurice, started a riot instead of de-escalating the situation that occurred on July 5, 2020.

20. The City of West Haven's policies, including its failure to have a policy, were the proximate cause of Vivar's injuries.

21. The City of West Haven is therefore liable for Vivar's injuries and Meurice's actions under 42 U.S.C. Section 1983 as a policymaker for West Haven police.

WHEREFORE, NADIA VIVAR CLAIMS DAMAGES

DEFENDANT, COUNTERCLAIMANT, AND THIRD-PARTY  
PLAINTIFF, NADIA VIVAR

By /s/ Alexander T. Taubes  
Alexander T. Taubes  
470 James Street, Suite 007  
New Haven, CT 06513  
(203) 909-0048  
[alextt@gmail.com](mailto:alextt@gmail.com)

### **CERTIFICATION OF SERVICE**

This is to certify that a copy of the foregoing will be caused to be delivered on this day, September 14, 2021 to:

Jonathan H. Dodd, Esq.  
The Dodd Law Firm, LLC  
Ten Corporate Center  
1781 Highland Avenue, Suite 105  
Cheshire, CT 06410  
203-272-1883  
Juris No. 402420  
[info@doddlawfirmct.com](mailto:info@doddlawfirmct.com)

Nicole Tung, Esq.  
Murphy Karpie Connelly & Sickinger LLC  
Suite 408  
350 Fairfield Avenue  
Bridgeport, CT 06604  
[tung@murphykarpie.com](mailto:tung@murphykarpie.com)

Law Offices of David J. Mathis  
One Hartford Plaza  
Hartford, CT 06155  
W: 860-520-1615  
[Lisa-Jane.Speir@thehartford.com](mailto:Lisa-Jane.Speir@thehartford.com)

/s/ Alexander T. Taubes  
Alexander T. Taubes